

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

File an original of this charge with NLRB Regional Director in the Region in which the alleged unfair labor practice occurred or is occurring.

DO NOT WRITE IN THIS SPACE

Case

Date Filed

28-CA-188493

November 18, 2016

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer McDonald's Franchise d/b/a McDonald's Restaurant and McDonald's USA LLC as Joint/Single Employer		b. Tel. No. 602-956-7710
		c. Cell No.
d. Address (street, city, state ZIP code) McDonald's Restaurant 3501 W Bethany Home Rd. Phoenix, AZ 85019 McDonald's USA LLC: 2111 McDonald's Dr. Oak Brook, IL 60523	e. Employer Representative N/A	f. Fax No.
		g. e-Mail
		h. Dispute Location (City and State) Phoenix, AZ
i. Type of Establishment (factory, hotel, etc.) Restaurant	j. Principal Product or Service Fast Food	k. Number of workers at dispute location 50+

l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Within the past six months, the above-named employer discriminated against its employees because of their union and other concerted activities by, including, but not limited to, failing and refusing to hire (b) (6), (b) (7)(C).

By these and other acts, the above-named employer has interfered with, coerced, and restrained employees in the exercise of their rights under Section 7 of the Act.

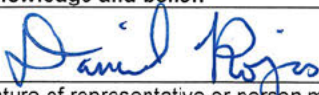
3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Western Workers Organizing Committee

4a. Address (street and number, city, state, and ZIP code) 2501 International Blvd. Suite D Oakland, CA 94601	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No. 626-584-1949
	4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

N/A

6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. 626-796-7555
By: 	Daniel B. Rojas, Attorney	Office, if any, Cell No.
(signature of representative or person making charge)	Print Name and Title	Fax No. 626-577-0124
Address: Rothner, Segall & Greenstone 510 S. Marengo Ave. Pasadena, CA 91101	Date: 11/18/2016	e-Mail drojas@rsglabor.com

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74943-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

NxGen "C" Assignment Sheet

Case Name: McDonald's Franchise d/b/a McDonald's Restaurant and McDonald's USA LLC as Joint/Single Employer. Category: 3

Assign To: Harvey (Supervisor) Zarate Maucilla (Agent)

10j Potential: ☐ Yes ☒ No Blocked R Case #: _____ Related Case(s) #: _____

Coordination ☐ Yes ☐ Cat 3 Organizing ☐ US Postal Information Case Region _____

Bargaining Status: ☐ Existing Contract ☐ Organizational Campaign ☐ None

☐ Seeking Initial Contract ☐ Seeking Successor Contract

Assignment.doc (kdh 7/2011)

CA - 8(a)(1):

- ☐ Coercive Actions (Surveillance, etc.)
- ☐ Coercive Rules
- ☐ Coercive Statements (Threats, Promises of Benefits, etc.)
- ☒ Concerted Activities (Retaliation, Discharge, Discipline)
- ☐ Denial of Access
- ☐ Discharge of supervisor (Parker-Robb Chevrolet)
- ☐ Interrogation (Including Polling)
- ☐ Lawsuits
- ☐ Weingarten

CA - 8(a)(2):

- ☐ Assistance
- ☐ Domination
- ☐ Unlawful Recognition

CA - 8(a)(3):

- ☐ Changes in Terms and Conditions of Employment
- ☒ Discharge (Including Layoff and Refusal to Hire (not salting))
- ☐ Discipline
- ☐ Lockout
- ☐ Refusal to Consider/Hire Applicant (salting only)
- ☐ Refusal to Hire Majority
- ☐ Refusal to Reinstate E'ee/Striker (e.g. Laidlaw)
- ☐ Retaliatory Lawsuit
- ☐ Shutdown or Relocate/Subcontract Unit Work
- ☐ Union Security Related Actions

CA - 8(a)(4):

- ☐ Changes in Terms and Conditions of Employment
- ☐ Discharge (Including Layoff and Refusal to Hire)
- ☐ Discipline
- ☐ Refusal to Reinstate Employee/Striker
- ☐ Shutdown or Relocate/Subcontract Unit Work

CA - 8(a)(5):

- ☐ Alter Ego
- ☐ Failure to Sign Agreement
- ☐ Refusal to Bargain/Bad Faith Bargaining (incl'g surface bargaining/direct dealing)
- ☐ Refusal to Furnish Information
- ☐ Refusal to Recognize
- ☐ Repudiation/Modification of Contract [Sec. 8(d)/Unilateral Changes]
- ☐ Shutdown or Relocate (e.g., First National Maint.) Subcontract Work

CB - 8(b)(1)(A):

- ☐ Coercion, Incl'g Statements and Violence
- ☐ Denial of Access
- ☐ Discipline (including charges/fines)/Harassment
- ☐ Duty of Fair Representation, incl'g Superseniority, denial of access
- ☐ Hiring Halls
- ☐ Picketing/Strike Actions
- ☐ Rules: Coercive
- ☐ Union Dues and/or Membership Related (including excessing fees)

CB - 8(b)(1)(B):

- ☐ Fund Contribution Related
- ☐ Lawsuits
- ☐ Other Allegations
- ☐ Statements/Threats/Violence

CB - 8(b)(2):

- ☐ Hiring Hall Related
- ☐ Lawsuits
- ☐ Union Security Related Actions
- ☐ Causing the Employer to Discriminate/Retaliate

CB - 8(b)(3):

- ☐ Failure to Sign Agreement
- ☐ Refusal to Bargain/Bad Faith or Surface Bargaining
- ☐ Refusal to Furnish Information
- ☐ Repudiation/Modification of Contract

☐ All Allegations

CB - 8(b)(6):

☐ All Allegations

CC - 8(b)(4)(A):

- ☐ Lawsuits/Grievances
- ☐ Picketing/Handbilling
- ☐ Statements

CC - 8(b)(4)(B):

- ☐ Lawsuits/Grievances
- ☐ Picketing/Handbilling
- ☐ Statements

CC - 8(b)(4)(C):

- ☐ Lawsuits/Grievances
- ☐ Picketing
- ☐ Statements

CD - 8(b)(4)(D):

☐ All Allegations

CD - 8(b)(7)(A):

☐ All Allegations

CD - 8(b)(7)(B):

☐ All Allegations

CD - 8(b)(7)(C):

☐ All Allegations

CE - 8(e):

- ☐ All Allegations against a Labor Organization
- ☐ All Allegations against an Employer

CG - 8(g):

☐ All Allegations

CB - 8(b)(5):

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**MCDONALD'S FRANCISE D/B/A MCDONALD'S
RESTAURANT AND MCDONALD'S USA LLC
AS JOINT/SINGLE EMPLOYER**

Charged Party

and

WESTERN WORKERS ORGANIZING COMMITTEE

Charging Party

Case 28-CA-188493

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on November 21, 2016, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

McDonald's Restaurant
3501 West Bethany Home Road
Phoenix, AZ 85019

McDonald's USA LLC
2111 McDonald's Drive
Oak Brook, IL 60523

November 21, 2016

Date

Kathleen M. Rourke-Osborne, Designated Agent of NLRB

Name

/s/ Kathleen M. Rourke-Osborne

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 28
2600 North Central Avenue, Suite 1400
Phoenix, AZ 85004

Agency Website: www.nlrb.gov
Telephone: (602)416-4754
Fax: (602)640-2178



Download
NLRB
Mobile App

November 21, 2016

McDonald's Restaurant
3501 West Bethany Home Road
Phoenix, AZ 85019

Re: McDonald's Franchise d/b/a
McDonald's Restaurant and
McDonald's USA LLC
as Joint/Single Employer
Case 28-CA-188493

Ladies and Gentlemen:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Miguel Zarate-Mancilla whose telephone number is (602)416-4771. If this Board agent is not available, you may contact Supervisory Field Attorney Rachel A. Harvey whose telephone number is (602)416-4748.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

McDonald's Franchise d/b/a
McDonald's Restaurant and
McDonald's USA LLC
as Joint/Single Employer
Case 28-CA-188493

- 3 -

November 21, 2016

We can provide assistance for persons with limited English proficiency or disability.
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Cornele A. Overstreet", written in a cursive style.

Cornele A. Overstreet
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: McDonald's USA LLC
2111 McDonald's Drive
Oak Brook, IL 60523

CAO/MZM/lme

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME McDonald's Franchise d/b/a McDonald's Restaurant and McDonald's
USA LLC as Joint/Single EmployerCASE NUMBER
28-CA-188493**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$

YES NO

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods
valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems,
newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If
less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate
amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who
purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate
amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points
outside your State? If less than \$50,000, indicate amount. \$**H. Gross Revenues from all sales or performance of services (Check the largest amount)**☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 28
2600 North Central Avenue, Suite 1400
Phoenix, AZ 85004

Agency Website: www.nlrb.gov
Telephone: (602)640-2160
Fax: (602)640-2178



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November 21, 2016

Western Workers Organizing Committee
2501 International Boulevard, Suite D
Oakland, CA 94601-1509

Re: McDonald's Franchise d/b/a
McDonald's Restaurant and
McDonald's USA LLC
as Joint/Single Employer
Case 28-CA-188493

Ladies and Gentlemen:

The charge that you filed in this case on November 18, 2016 has been docketed as case number 28-CA-188493. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Miguel Zarate-Mancilla whose telephone number is (602)416-4771. If this Board agent is not available, you may contact Supervisory Field Attorney Rachel A. Harvey whose telephone number is (602)416-4748.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

McDonald's Franchise d/b/a
McDonald's Restaurant and
McDonald's USA LLC
as Joint/Single Employer
Case 28-CA-188493

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November 21, 2016

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



Cornele A. Overstreet
Regional Director

cc: Daniel B. Rojas, Attorney at Law
Rothner, Segall & Greenstone
510 South Marengo Avenue
Pasadena, CA 91101-3115

CAO/MZM/lme

From: [Daniel Rojas](#)
To: [Zarate-Mancilla, Nestor M.](#)
Subject: RE: McDonald's Case 28-CA-188493
Date: Thursday, December 1, 2016 5:49:31 PM

Thanks, Miguel.

I am writing to confirm that we are requesting withdrawal of this charge. If you have any questions or require any other information to process this request, please don't hesitate to let me know.

From: Zarate-Mancilla, Nestor M. [mailto:Nestor.Zarate-Mancilla@nlrb.gov]
Sent: Thursday, December 01, 2016 2:48 PM
To: Daniel Rojas
Subject: McDonald's Case 28-CA-188493

Mr. Rojas,

I am attaching a copy of the charge for your convenience. Thank you.

Truly yours,

N. Miguel Zárate Mancilla

Field Attorney
National Labor Relations Board
2600 N Central Ave #1400
Phoenix, AZ 85004
602.640.2160 (main)
602.416.4771 (direct)
602.640.2178 (fax)
Nestor.Zarate-Mancilla@nlrb.gov

The NLRB strongly encourages all parties to file documents electronically through our online E-file system:

Documents: <https://apps.nlrb.gov/eservice/efileterm.aspx>

New Charge/Petition: <https://apps.nlrb.gov/eservice/efileterm.aspx?app=chargeandpetition>

NOTICE: This communication is confidential and may contain information that is privileged, personal, or attorney work product. This communication is intended only for the named recipients; it is not intended for public dissemination. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

United States Government
National Labor Relations Board
Region 28
2600 N. Central Ave., Suite 1400
Phoenix, AZ 85004-3099
An Equal Opportunity Employer

OFFICIAL BUSINESS

RECEIVED
NLRB-REGION 28

2016 DEC -9 PM 5:02

OAKLAND
CA 945
29 NOV '16
PM 5 L

No longer at address

Western Workers Organizing Committee
2501 International Boulevard, Suite D
Oakland, CA 94601-1509



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OAKLAND
CA 945
29 NOV '16
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2501 International Boulevard, Suite D
Oakland, CA 94601-1509



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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 28
2600 NORTH CENTRAL AVENUE - SUITE 1400
PHOENIX, AZ 85004-3099
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Western Workers Organizing Committee
2501 International Boulevard, Suite D
Oakland, CA 94601-1509

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UNABLE TO FORWARD

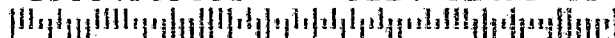
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Case Name: McDonald's Restaurant McDonald's USA LLC as Joint/Single Employer
Case No.: 28-CA-188493
Agent: FA Zárte

CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
11/21/16	n/a		Received Charge
11/22/16	Daniel Rojas for Charging Party (CP)	Phone 206.512.0285	LVM requesting a call back. Received call back from Rojas. Asked for the contact information for the named discriminatee. Rojas provided me with the phone number to (b) (6), (b) (7)(C) that would be my point of contact, (b) (6), (b) (7)(C). Rojas will try to coordinate with (b) (6), (b) (7)(C) to have discriminatee appear for an affidavit.
11/25/16	(b) (5), (b) (6), (b) (7)(C)	Phone (b) (5), (b) (6), (b) (7)(C)	Requested contact information from discriminatee. (b) (6), (b) (7)(C) will be calling me with the information later.
11/29/16	(b) (5), (b) (6), (b) (7)(C)	Phone (b) (5), (b) (6), (b) (7)(C)	Contacted discriminatee using phone number from (b) (6), (b) (7)(C). LVM requesting a call back. Received call back. (b) (6), (b) (7)(C)
11/30/16	(b) (5), (b) (6)	Phone (b) (5), (b) (6), (b) (7)(C)	(b) (5), (b) (6), (b) (7)(C)
11/30/16	Atty David Potts for AGK	Phone 602.263.4547	Potts mentioned that his firm, Jones Skelton Hokuli, represents AGK who owns the McDonald's franchise located at 3501 W Bethany Home Rd as noted in the charge. However, he mentioned that the phone number on the charge belongs to a different restaurant owned by a different franchise. (b) (5), (b) (6), (b) (7)(C) (b) (5), (b) (6), (b) (7)(C) Potts asked if I could look into the matter to ensure the

Date	Person Contacted	Method of Contact	Description of Contact or Activity
			proper charged party was named in the charge.
11/30/16	(b) (5), (b) (6), (b) (7)(C)	(b) (5), (b) (6), (b) (7)(C)	Called (b) (6), (b) (7)(C) to verify the correct restaurant had been named. (b) (6) mentioned that (b) (6) believed the restaurant was on 33rd Avenue and Indian School but (b) (6) was not sure.
11/30/16	Rojas-CP	Phone 626.796.7555	LVM requesting a call back.
12/1/16	Rojas-CP	Phone 626.796.7555	Rojas returned my call. Informed him about the possible discrepancy with the charge and asked him to look into the matter. He mentioned that he believes that the incorrect address and phone number were on the charge and that he would look into the matter. (b) (5), (b) (6), (b) (7)(C)
12/1/16	Potts-Er	602.263.4547	Communicated to Er that CP was trying to verify the information (b) (5)
12/1/16	Potts-Er	602.263.4547	Received voicemail from Er informing me that it believes the correct franchise involved was Landmark Foods, Inc. but that he was still trying to verify the information.
12/1/16	Rojas-CP	Phone 626.796.7555 Email drojas@rsglab or.com	CP informed me that the information on the charge was inaccurate and that he wished to withdraw the present charge. CP also sent me an email message confirming its withdrawal request.
12/2/16	(b) (5), (b) (6)	(b) (5), (b) (6), (b) (7)(C)	(b) (5), (b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 28
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Phoenix, AZ 85004

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December 5, 2016

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McDonald's Restaurant
3501 West Bethany Home Road
Phoenix, AZ 85019

Re: McDonald's Restaurant McDonald's USA
LLC as Joint/Single Employer
Case 28-CA-188493

Ladies and Gentlemen:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Stephen E. Wamser

Stephen E. Wamser
Acting Regional Director

cc: See next page.

McDonald's USA LLC
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Oak Brook, IL 60523

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SEW/MZM/lg